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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/536,493

01/20/2006

Renan Abgrall

0579-1089

6961

466 7590 07/01/2010

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EXAMINER

WALSH, DANIEL I

ART UNIT

PAPER NUMBER

2887

NOTIFICATION DATE

DELIVERY MODE

07/01/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

Office Action Summary	Application No. 10/536,493	Applicant(s) ABGRALL ET AL.	
	Examiner DANIEL WALSH	Art Unit 2887	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 16-22 is/are rejected.
- 7) ☒ Claim(s) 14 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Amendment received on July 31, 2009 has been acknowledged.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-10, 18, and 21 are rejected under 35 U.S.C. 102(a) as being anticipated by Morgan et al (US 6,373,201).

Morgan discloses a timer controller that periodically calculates the time the lamp has been on since the last update (col 5, lines 33-35). Such timer controller is a measuring means for measuring the time that has elapsed from a reference time of day associated with the object. Morgan discloses that the EEPROM is used to store copies of the rated safe life of the lamp, and copies of the elapsed operational time for the lamp (col 4, lines 23-26). After the rated safe life and elapsed operation time of the lamp are determined, the elapsed time and rated safe life are compared (col 4, lines 65-67). The EEPROM is the storage means for storing the lifespan assigned to the object, the storage means co-operating with the time measuring means to compare the elapsed time and the lifespan. Morgan discloses that the elapsed time is compared to the rate safe life of the lamp. If the rate safe life of the lamp exceeds the elapsed time stored in EEPROM, the timer will wait until the time since the last update once again exceeds the

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threshold incremental value before repeating the steps. If the elapsed time does exceed the rated safe life of the lamp, the timer controller disables the lamp (col 5, lines 43-50).

The Examiner has interpreted that the secure entity is interpreted as the lamp module with associated circuitry (FIG. 1), storing an object (lamp/bulb) that has a lifespan.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan in view of Paratore et al (US 6,294,997). The teachings of Morgan have been discussed above.

Elizalde fails to teach a capacitive component subject to leakage across its dielectric space, means being provided for coupling said capacitive component to an electrical power supply to be charged by said electrical power supply, and means for measuring the residual charge in the capacitive component, said residual charge being at least in part representative of the time that has elapsed since the capacitive component was decoupled from the electrical power supply.

Paratore discloses that the timing module includes a capacitor, a resistor, an A/D converter, a control circuit and an N-bit register. The timing module is illustrated in communication with memory module 60 of the RFID tag. Once powered by the RFID interrogator, the control circuit causes the capacitor to become charged. If the initial charge

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voltage across the capacitor is V_o , then the residual voltage V_r will be as follows: $V_r = V_o e^{-t/RC}$ where t is time (seconds), R is the resistance value of resistor (R_3)(ohms), and C is the capacitance value of capacitor (C_3) (farads). Conversely, if the value of the residual voltage V_r is known, then the time t elapsed from the initial charge of capacitor is equal to: $t = (RC)(\log(V_o / V_r))$. (col 4, line 54-col 5, line 5).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Paratore to the teachings of Morgan in order to provide a timing circuit that is capable of accurately measuring time in a small package, such as a card. Such modification is useful since many cards, especially credit cards, have an expiration date, and therefore, in order increase the security of the card, it would be necessary to have an expiration time (or life span). Such use of capacitive components enables to the card to be portable while accurately measuring time.

5. Claims 13, 16, 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan in view of Paratore as applied to claims 11 and 12 above, and further in view of Hennig (US 5,514,995). The teachings of Morgan as modified by Paratore have been discussed above.

Morgan as modified by Paratore fails to teach a MOS capacitor.

Hennig discloses a PCMCIA card having a first discharge circuit that includes a MOS capacitor (abstract).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Hennig to the teachings of Morgan as modified by Paratore in order to reduce the size of the card package by utilizing a reduced size MOS capacitor.

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6. Claims 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan in view of Hennig (US 5,514,995). The teachings of Morgan have been discussed above.

Morgan fails to teach a PCMCIA card.

Hennig discloses a PCMCIA card having a first discharge circuit that includes a MOS capacitor (abstract).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Hennig to the teachings of Morgan as modified by Paratore in order to reduce the size of the card package by utilizing a reduced size MOS capacitor.

7. Claims 1 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Beer (US 20070129078).

De Beer teaches a secure electronic entity (phone) adapted to store objects, the entity comprising measuring means for measuring a time that has elapsed from a reference time associated with the object, storage means for storing a lifespan assigned to said object, the storage means cooperating with the time measuring means to compare the elapsed time and said lifespan and updating and invalidation means for updating the lifespan of the object or to render the object temporarily or permanently unusable when a result of the comparison is that the elapsed time has reached or passed the lifespan, the object being a SIM card (paragraph [0109] which teaches input to the SIM card are counted to measure elapsed time during use and that it is compared and decremented from a stored count value. This is interpreted as measuring a time that has elapsed from a reference time (time elapsed from a given time), storage means for storing a lifespan assigned to the object (count value) and comparing elapsed and lifespan time.

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Though silent to temporarily unusable (updating and invalidating means) the Examiner notes that it would have been obvious to one of ordinary skill in the art that when the validity has expired, that the phone would not be used to phone calls as an expedient for security. Though silent to a reference time, the Examiner notes that a reference time can be broadly interpreted from a point at which connections/use is measured from. The Examiner notes it would have been obvious to have cooperating in order to process the data electronically, as is conventional in the art.

Response to Arguments

8. Applicant's arguments, see page 2 of remarks, filed July 31, 2009, with respect to the claims have been fully considered but are not persuasive.

9. The Examiner notes that the lamp module can be the secure electronic entity and the actual lamp/bulb itself can be the object.

Allowable Subject Matter

10. Claims 14 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. The following is a statement of reasons for the indication of allowable subject matter:

Prior art of record, Elizalde, Paratore and Hennig, taken alone or in combination fail to teach a field-effect transistor having an insulative layer, a capacitive component including an insulative layer, and the thickness of the insulative layer of the field-effect transistor is significantly greater than the thickness of the insulative layer of the capacitive component.

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL WALSH whose telephone number is (571)272-2409. The examiner can normally be reached on M-F 9am-7pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Paik can be reached on 571-272-2404. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DANIEL WALSH/
Primary Examiner, Art Unit 2887